IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13274 of 2005

Between:

1.Ram Chander Mali No.831570304, S/o. Late bolu Ram Mali,
Central Reserve police Force, Group Centre, Chandrayanagutta.
2.Smt.Leelavathi No.9180888, W/o.Late Basu Dev Sinha,
Central Reserve police Force, Group Centre, Chandrayanagutta.
3.K.Susmitha No.049140051, D/o.K.K.Kishore,
Central Reserve police Force, Group Centre, Chandrayanagutta.
4.Sri Kanth Biswal No.982070022 S/o.B.N.Biswal, Steward,
Central Reserve police Force, Group Centre, Chandrayanagutta.
5.Amarjith No.049140033 S/o.Sewa Singh, Safai Karmachari,
Central Reserve police Force, Group Centre, Chandrayanagutta.
6.Jagat Ram No.832100097 S/o.Dhundharam Occ: Chowkidar,
Central Reserve police Force, Group Centre, Chandrayanagutta.

..... PETITIONERS

AND

1 Union of India, rep.by its Secretary, Ministry of Health & Family Welfare,

Nirman Bhavan, New Delhi.
2 The Secretary, Govt. of India, Ministry of Home Affairs, North Block,
New Delhi.
3 The Director General, Central Reserve police Force, C.G.O.Complex,
Lodhi Road, New Delhi.
4 The Director (Medical) Central Reserve police force, R.K.Puram, New Delhi
5 The Inspector General of police, Central Reserve police force, Southern

sector, Road No.12, Banjara Hills, Hyderabad.
6 The Deputy Inspector General of police, (Operations) Central Reserve police

force, Group Centre, Chandrayanagutta
Hyderabad.
7 The Chief Medical officer, 2nd Base Hospital, Central Reserve police force,
Keshogiri, Chandrayanagutta, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or order or any other appropriate writ or order or direction the nature of a writ declaring the signal issued by the 4th respondent dated 19-1-2002 and the proceedings of the 2nd respondent in NO.27012/4/2000-PF-IV dated 8-9-2000 and of the 4th respondent in NO.AIX.1/2000 Med-III dated 22-9-2000 and the action of the respondents in not paying the patient care allowance to the petitioners even while paying the same to their colleagues similarly placed in the same class, as highly discriminatory, illegal, arbitrary, and violative of Art. 14 and 16 of the Constitution of India, as violative of the principles of natural justice and to set aside the aforesaid orders and consequently direct the respondents to pay the petitioners the Hospital patient care allowance at the rates as revised from time to time and as respectively applicable to Group 'C' and 'D' employees with effect from 1-10-1987 or the date of appointment of the petitioners which even is later or from the date as deemed just and proper by the Hon'ble court.

Counsel for the Petitioner: MR.J.V.PRASAD

Counsel for the Respondents: MS.R.RAGHAMMA

The Court at the admission stage made the following:

ORDER:

This writ petition is filed praying for issuance of a writ of Mandamus declaring that the proceedings of the second respondent dated 08.09.2000 as well as the proceedings of the fourth respondent dated 19.01.2002 and 22.09.2000 and that the action of the respondents in not paying the patient care allowance to the petitioners is illegal, arbitrary and without jurisdiction as similar allowance is being paid to other similarly placed persons.

At the time of hearing, the learned counsel appearing for the respondents, however, stated that the issue involved in this writ petition is covered by a decision of this Court rendered in W.P.Nos.1130 and 23645 of 1996 dated 07.10.2004 and following the said order W.P.No.3845 of 2002 was also allowed on 19.11.2004, but the relief was granted only from the date of filing of the writ petition.

In view of the orders passed by this Court, the petitioners are also entitled for the relief as prayed for only from the date of filing of the writ petition.

The writ petition is accordingly disposed of. No costs.

_____

22.06.2005

VGB

To

1 The Secretary, Union of India, Ministry of Health & Family Welfare,

Nirman Bhavan, New Delhi.

2 The Secretary, Govt. of India, Ministry of Home Affairs, North Block, New Delhi.

3 The Director General, Central Reserve Police Force, C.G.O. Complex, Lodhi Road, New Delhi.

4 The Director (Medical) Central Reserve Police Force, R.K.Puram, New Delhi

5 The Inspector General of Police, Central Reserve Police Force, Southern

Sector, Road No.12, Banjara Hills, Hyderabad.

6 The Deputy Inspector General of Police (Operations), Central Reserve Police

Force, Group Centre, Chandrayanagutta, Hyderabad.

7 The Chief Medical Officer, 2nd Base Hospital, Central Reserve Police Force, Keshogiri, Chandrayanagutta, Hyderabad.

8 2CD copies.